

FTA's Proposed Title VI Circular

Why Update FTA's Title VI Circular and Propose a New Environmental Justice Circular?

- The new circulars clarify what's already required by law and draw a sharper distinction between the requirements for Title VI and Environmental Justice.
 - FTA views both Title VI and Environmental Justice as equally important considerations when planning and designing FTA-funded transportation projects.
 - The Circulars are in draft form and FTA needs you to review them and provide comments to the docket.
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The general requirements for Title VI compliance largely remain the same. FTA's new proposed Title VI Circular:

- Restores regulatory language to show a clear nexus between regulations and requirements.
- Clarifies all requirements and strengthens some requirements.
- Moves EJ language to the new EJ Circular, with the exception of the service and fare equity analysis section.
- Clearly sets forth the requirements for all FTA recipients and provides specific requirements for MPOs, States, and Transit Providers.

All FTA recipients must submit the following information to FTA:

- A Title VI Notice to the Public, Complaint Procedure, and Complaint Form
- A Limited English Proficiency Plan and a Public Involvement Plan
- A list of investigations, lawsuits, and complaints
- Information regarding the Siting of Fixed Facilities (as opposed to a list of construction projects, as required in current Circular)
- A table depicting racial composition of membership of non-elected bodies

Proposed Circular requires that all transit providers regardless of size must adopt service standards and policies.

Definition of Large Transit Providers now includes transit providers with annual operating budgets of \$10 million or more.

Large Transit Providers must submit to FTA:

- Results of their **monitoring program** – to show how they measure up according to their own service standards and policies.
 - **Service and fare equity analyses** (a step-by-step checklist for equity analyses is included in Appendix).
 - A **demographic analysis** of their customers
 - Data regarding **customer demographics and travel patterns**
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For MPOs and States, the proposed Circular:

- Clarifies existing requirements.
 - Adds a requirement for demographic maps that overlay the percent minority and non-minority populations, and charts that analyze the impacts of the distribution of State and Federal public transportation funds.
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The New Proposed Title VI Circular contains more user-friendly and practical guidance by including:

- An extensive appendix that includes user-friendly templates and checklists for the documents that must be submitted to FTA.
 - Flow charts that illustrate the responsibilities of the various roles in public transportation, such as recipient, direct recipient, designated recipient, and primary recipient.
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Tell us what you think about the proposed EJ Circular. For information on how to submit comments, please go to www.fta.dot.gov/FTAINformationSessions. Comments must be received by December 2, 2011.